



#14
Attorney Docket No. 21617/202

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Gil M. Vardi *et al.*)
)
Application No.: 10/050,524) Group Art Unit: 3738
)
Filed: January 18, 2002) Examiner: P. B. Prebilic
)
For: EXTENDIBLE STENT APPARATUS)
AND METHOD FOR DEPLOYING)
THE SAME)

SUMMARY OF SUBSTANCE OF INTERVIEW TECHNOLOGY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Interview Summary mailed from the United States Patent and Trademark Office on November 19, 2003. Below please find Applicants' supplemental statement of the substance of the telephone interview that took place on November 10, 2003, between Examiner Paul B. Prebilic and Michele V. Frank.

The examiner's interview summary at page 3 fails to mention the discussion of claims 23-29. In particular, during the telephone conference applicants' representative noted that claims 23-29 had not been rejected based upon prior art, only under 35 USC 112. The examiner confirmed that he did not reject claims 23-29 based upon prior art and if the 112 rejection was overcome, claims 23-29 would be allowable because there was not prior art rejection.


Applicants' representative agrees errors to the PTOL-326 were discussed as indicated by the examiner at page 3. But, only the information at boxes 4, 6 and 10 was discussed. Nothing was discussed with respect to the acknowledgement of the claim for priority. Yet, the examiner changed the status on the Office Action PTOL-326. Specifically, the examiner checked the box

acknowledging the claim for priority in the August 20, 2003 Office Action (box 15), but did not check the box in the November 19, 2003 Office Action (box 14.) Reference to the specification of the priority claim was made in the request for filing of the continuation application.

Applicants' representative will request correction in the response.

Respectfully submitted,

12.11.03
Date


Michele Van Patten Frank
Registration No. 37,028

Customer No. 32042
Telephone: (703) 744 7907
Facsimile: (703) 744 8001

The Commissioner is hereby authorized to charge any additional fees that may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2228. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2228.